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WQC number:
913-6004-WQC-1

Public Notice

Closing Date:
5/8/2014

This letter serves as the formal notice of the receipt of an application for a Section 401 Water Quality Certification by the Kentucky Division of Mine Permits (KDMP). The purpose of this notice is to inform the public of active applications awaiting certification under Section 401 of the Clean Water Act (33 U.S.C. § 1341) and to solicit comments and information on any impacts to water quality as it relates to the specific project. DMP will evaluate whether the project complies with Kentucky's water quality standards.

The comment period will run for 30 days, as is indicated in the upper portion of this notice. Any person who wishes to comment or receive information pertaining to the pending WQC application, must contact the WQC coordinator at 502-564-2320, or submit comments to: Water Quality Certification #2 Hudson Hollow, Frankfort, KY 40601, within the 30 day comment period. All comments will be reviewed and water quality issues will be considered during the review process.

The public may review the detailed Compensatory Mitigation Plan at the Division of Mine Permits office at: #2 Hudson Hollow, Frankfort, KY 40601

**Commonwealth of Kentucky
Department for Natural Resources
Division of Mine Permits**

Application for Water Quality Certification for Surface Coal Mining Activities

The Clean Water Act Section 401 Water Quality Certification (WQC) program in Kentucky ensures that activities which may involve a discharge into waters of the Commonwealth which require federal permit or license are consistent with Kentucky's water quality standards in 401 KAR Chapter 5. The Environmental and Public Protection Cabinet has authorized the Department for Natural Resources to issue water quality certifications related to surface coal mining operations. The project may not start until all necessary approvals are obtained. For questions concerning the WQC process, contact the WQC Coordinator at (502)-564-2320.

1. **Applicant Name:** Armstrong Logistics Services, LLC
Mailing Address: 407 Brown Road
Madisonville, KY 42431
Contact Person: Dennis Massoth, P.E.
Telephone No: (270) 821-0987
E Mail Address: dmassoth@armstrongcoal.com

2. **Consultant Name & Address:** Rick Liggett, Wetland Services, 3880 Trigg
Turner Rd. Corydon, KY 42406

Telephone No. (270) 454-0900
E Mail Address: rl@wetlandservices.net

3. **Provide a brief description of the proposed activity and stream impact.**
Develop a 2.2 mile long overland conveyor to transport coal from Armstrong's #9 underground mine to their coal preparation plant facilities. The conveyor itself will span all streams and wetlands however an access/maintenance road next to the conveyor will require placing a culvert pipe in two intermittent streams and one ephemeral stream. Stream impacts will be less than 200' combined. The construction of a maintenance road will impact 0.6 acres of PFO wetlands and vegetative maintenance for the conveyor will result in 1 acre of PFO/PSS conversion to PEM.

4. **Project Location Information:**

County Union **USGS Quadrangle Name** Sturgis, KY

Nearest Community & Road Intersection: Pride, KY SR 141 and SR 270

Latitude 37.52264 **Longitude** -87.89341 (Approximate center of the project area)

5. **List the names of all streams affected by the proposed project:** Unnamed tributaries of Winn and Smith Ditch

6. For each affected watershed provide the acreage above the toe of the lowest permanent structure.

Drainage area for Ephemeral Stream 2AS1A is 7 acres

Drainage area for Intermittent Stream 1MS1A/1AS1A-1 is 83 acres

Drainage area for Intermittent Stream 1MS1A1 is 6 acres

7. For each affected stream provide the linear feet of impact, whether the impact is temporary or permanent and indicate if the stream reach is classified as ephemeral, intermittent, or perennial.

A list of each stream and its proposed impact is noted in the "Alternatives Analysis Table" in the IP Application. In summary, there are impacts to two intermittent streams totaling approximately 100', and one ephemeral stream totaling 50'.

8. Provide the acreage of wetlands that would be impacted: 1.6 acres (total)

9. Beginning at the nearest intersection of two public roads, provide directions to the project site:

From the intersection of SR 141 and SR 270, proceed south on 141 approximately 0.3 miles to Williams Road. Turn left onto Williams Road and travel approximately 1.3 miles to old Rail Road bed at (N37.52263, W-87.89180). The site can be accessed from this location.

10. Has application been submitted to the U.S. Army Corps of Engineers for this project? Yes X No _____. If yes, indicate type of application:

NW 12 ____ NW 14 ____ NW 21 ____ NW 27 ____ NW 49 ____
NW 50 ____ Individual ____ Other _____

**11. Provide the following permit numbers associated with this mining activity:
SMCRA Permit No. 913-6004, KPDES No. KYG046832**

12. The following attachments must be provided:

- a. IP Application, including Proposed Stream and Wetland Mitigation, "Macroinvertebrate & Fish Bioassessment Report", and "Threatened and Endangered Species Assessment"
- b. A watershed map showing all ponds and wetlands to scale, with all intermittent, and ephemeral stream reaches clearly identified.
- c. A 7.5 minute topographic map delineating the proposed project area.

List all other plans and profiles included with this application:

"Stream Habitat Assessment and Wetland Delineation Report (JD Report)", mitigation, Cumulative Impact Analysis, and 404 Permit application.

I hereby request approval for construction across or along a stream as described in this application and supporting attachments. All of the information provided with this application is true and accurate to the best of my belief and knowledge.

Applicant's Signature:

Dennis Massoth, P.E., Date: 3/10/14
If signed by applicant's agent, attach power of attorney

SUBMIT APPLICATION AND ATTACHMENTS TO:

**WQC COORDINATOR
DIVISION OF MINE PERMITS
#2 HUDSON HOLLOW
FRANKFORT, KENTUCKY 40601**